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September 18, 2002

Mr. Robert Struthers
Director and Chairman, District 45 Canal
Box 685
Picabo, Idaho 83338

RECEIVED
SEP 20 2002
Department of Water Resources
Southern Region

Re: Gardner 1880 water right on District 45 canal


Dear Robert:

Nearly two weeks ago, when I requested that the Gardner 1880 water right be turned back on to the Bleckman Hay Ranch, after the hay had been baled, I was told by Jim Eakin that there had been a change on the canal and that no irrigation was going to be allowed after September 1st. Subsequently someone turn off the head gate at the highway after you had opened it to deliver the water to me and they locked it. I talked to Water Master, Lee Peterson and he said that the water was being delivered into the canal and that as far as he knew it should be delivered to me.

This water was transferred through the IDWR by authority of the Drought Declaration of 2001-2002 and I am perplexed why it is not being delivered. Because it is not being delivered I am renting a well for a substantial amount of money to make a crop.

Please send me copies of your by-laws and minutes of your last meeting or any other correspondence or directives from the IDWR, which show the reason why this water is not being delivered.

Sincerely,



Nick Purdy

Cc: Jim Eakin
Greg Mann, Director
Gene Drussel, Director
Alan Merritt, IDWR